Qwest
1020 Nineteenth Street NW, Suite 700
Washington, DC 20036
Phone 202.429.3121
Fax 202.293.0561

Cronan O'Connell
Vice President-Federal Regulatory

Qwest.
Spirit of Service

EX PARTE

January 31, 2003

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street S.W., TW-A325
Washington, DC 20554

RE: CC Docket Nos. 01-338, 96-98 and 98-147, In the Matters of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications Capability

Dear Ms. Dortch:

Yesterday, representing Qwest Communications International Inc. ("Qwest"), Steve Davis, Gary Lytle and Cronan O'Connell met with Commissioner Michael Copps and his Legal Advisor Jordan Goldstein of the Federal Communications Commission. The purpose of the meeting was to discuss Qwest's new UNE-P Compromise Proposal (see attachments A, B and C to letter dated January 30, 2003 to the FCC's Chairman, Michael K. Powell from R. Steven Davis). Additionally, Qwest discussed its amended EEL proposal as attached. This proposal attempts to streamline the current use restrictions, but also ensure the valid use of the EEL.

There was a change made in the attached EEL presentation, bullet point number 5, that was distributed during the meeting with Commissioner Copps and his Legal Advisor, Jordan Goldstein. The text for bullet point number 5 was changed to read as follows: "Neither end of an EEL facility can terminate into an IXC POP or an ISP POP." (emphasis added) (the word "or" was changed from "and"). The revised attachment is being re-served with this letter on each person that previously received a copy.

In accordance with FCC Rule 1.49(f), this *Ex Parte* letter is being filed electronically *via* the Electronic Comment Filing System for inclusion in the public record of the above-referenced dockets pursuant to FCC Rule 1.1206(b)(2).

Sincerely,
/s/ Cronan O'Connell

cc:
Michael Copps (via e-mail at mcopps@fcc.gov)
Jordan Goldstein (via e-mail at jgoldste@fcc.gov)
Attachments

Qwest Ex Parte – January 30, 2003

UNE-P Transition

Facilities-based competition is flourishing in Qwest Territory:

- 174 CLEC switches
- 87% of Qwest access lines are served by wire centers that port numbers
- 1,992 individual collocations spread among Qwest's 1,210 wire centers
- Significant intermodal competition
- Equivalent number of UNE-P and UNE-Loops

Qwest recognizes the desire on the part of the states and the FCC to consider alternative approaches for UNE-P transition, and has worked very hard to respond to the collective needs of both the FCC and various *state commissioners* from its local service territory to develop this compromise. In the spirit of compromise Qwest is proposing an easily administrable process that:

- Eliminates the unbundled switching requirement in areas where multiple CLECs have deployed their own switches
- Establishes a role for the state commissions to determine the timetable for the elimination of unbundled switching as a UNE in other areas
- Recognizes the additional role the states would have in monitoring the hot cut performance process and developing and overseeing the transition of the UNE-P embedded base throughout the transition

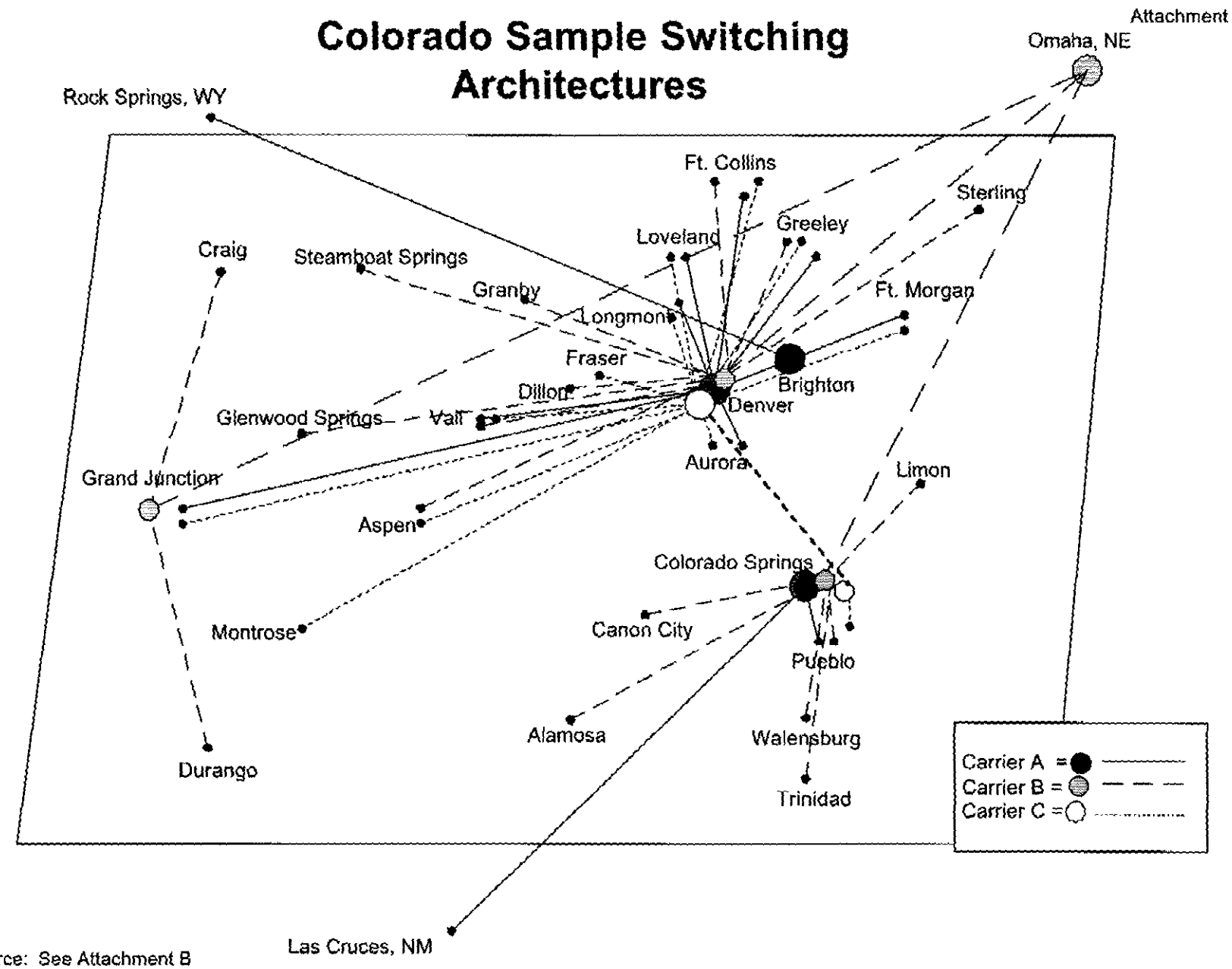
1. **For those LATAs where CLECs have deployed three or more local exchange voice switches,** the market has conclusively established that CLECs can provide their own switching. In those areas, the FCC would eliminate unbundled switching as a UNE.
   - ILECs would file a declaration identifying the LATAs that qualify under this test and barring any CLEC showing otherwise unbundled switching would be eliminated in the LATAs in question 30 days after the filing.
   - No new UNE-P orders would then be accepted. CLECs could alternatively purchase UNE-loops, resale, or a transitional wholesale product.
   - Transition of the embedded base, as overseen by the state commissions, would be complete within 1 year

2. **For LATAs where CLECs have deployed fewer than three local exchange voice switches,** the state commissions would establish a transition plan, pursuant to criteria defined by the FCC, to set timetables for eliminating the unbundled switching requirement in these LATAs within two years.

3. **The state commissions would have significant responsibilities in other areas also.**
   - Overseeing the development of an orderly and reasonable transition process for customers currently served by UNE-P to various other services once the unbundled switching requirement is eliminated from a LATA.
   - Monitoring timely and accurate ILEC hot cut performance using well-established Performance Indicator Definition ("PID") metrics in all state approved State Generally Available Terms ("SGATs")

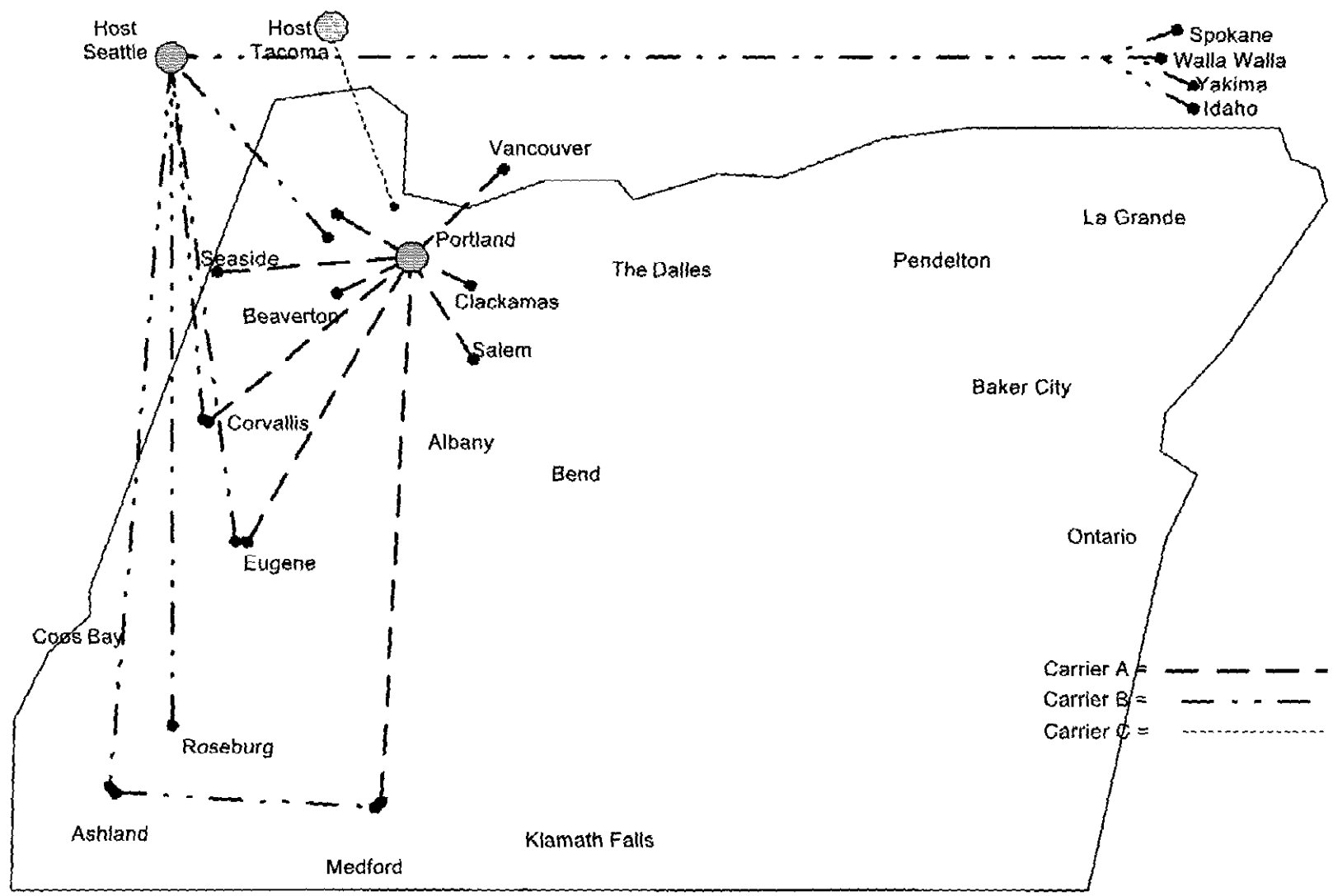
Attachment A

Colorado Sample Switching Architectures



Source: See Attachment B

Attachment A



Oregon Sample Switching Architectures

Source: See Attachment B

Attachment B

Methodology for Identifying "Qualifying" CLEC Switches by LATA

Three sources of data were used to build the CLEC Network Analysis from BIRRDS:

Telcordia Business Integrated Routing/Rating Database System (BIRRDS)
BIRRDS is an online, real time database used by the industry to officially relay detailed service provider specific information to the rest of the industry for the routing and rating of calls. BIRRDS is the database from which the Telcordia LERG Routing Guide (LERG) and several other output products are generated.

Each service provider or their agent inputs information to BIRRDS. Data in BIRRDS is the responsibility of the individual service provider. Errors in the data could result in misrouted, incorrectly rated or incomplete calls to and/or from the service provider's customers.

The BIRRDS online database was used to confirm each Common Language Location Identifier ("CLLI"), CLLI Operating Company Number ("OCN"), NXXs on each CLLI, NXX OCN, company name for each OCN, category of service provider based on OCN (Incumbent Local Exchange Carrier ("ILEC"), CLEC, Reseller, etc.), the Equipment Type abbreviation and the description/name associated with the Equipment Type abbreviation. This data was then summarized on the attached Chart at a LATA level. The BRRDS online database was used to verify any information pulled from the other two sources for this report.

Qwest Regional Numbering Plan (RNP)
RNP is a Qwest internal database updated each workday from Telcordia BIRRDS information. Telcordia data is downloaded electronically then RNP is manually updated by Local Networks Technical Regulatory from the daily reports. CLEC codes are identified when a wireline End Office Code (EOC) is assigned to other than the original ILEC code holder in the rate center. CLEC codes carry an identifying code in RNP to differentiate them from ILEC codes.

The RNP report pulled all CLEC code records in the 14 state area and included the following fields of data:
NPA NXX Use Code CLLI telc (OCN) rate cntr LATA Due Date (if new) company name

The Use Code does not appear in BIRRDS, therefore, using RNP allowed us to get an initial data report to use as a base.

Qwest Location Operational Shared Database (LOSD)
This internal database and report generator is electronically downloaded from Telcordia by Qwest IT on a monthly basis. Data in this database could be referred to as LERG data since it is from an output product of Telcordia BIRRDS. LOSD LERG data is a snapshot in time showing industry inputs as of the last day of the previous month.

Attachment B

From LOSD, we acquired a list of all possible Equipment Type abbreviations and lists of all CLLI codes associated with each CLEC OCN.

Qwest combined the information from the three data sources, verified the data and developed the attached chart (Attachment C) identifying qualifying switches by LATA.

Attachment C

Number of "Qualifying" CLEC Switches in Qwest LATAs

LATA Name	Number of Wire Centers	Sum of Total Access Lines	Number of Qualifying CLEC Switches
Company Total	**1,210**	**17,064,773**	**174**
SEATTLE	69	1,844,657	24
DENVER	128	2,288,360	19
MINNEAPOLIS	68	1,639,205	18
PHOENIX	88	2,259,601	16
PORTLAND	50	1,114,080	15
UTAH	60	1,088,147	12
FARGO	38	257,574	7
SPOKANE	45	485,614	7
COL. SPRINGS	36	491,346	6
NEW MEXICO	65	869,293	6
TUCSON	44	632,800	6
EUGENE	33	502,608	5
DES MOINES	57	462,008	4
OMAHA	50	418,348	4
SIOUX CITY	25	113,336	4
SOUTH DAKOT/	42	262,971	4
BILLINGS	36	162,909	3
IDAHO	65	548,803	3
ROCHESTER	22	212,490	3
GREAT FALLS	39	222,266	2
ST. CLOUD	18	110,757	2
CEDAR RAPIDS	27	276,508	1
DAVENPORT	15	214,604	1
DULUTH	30	156,126	1
WYOMING	26	262,753	1
BISMARCK	4	65,167	0
GRAND ISLAND	30	102,442	0

Note: Chart counts only one switch per CLEC in each LATA. Does not include remote switches, cable telephony switches or wireless switches.

Qwest Enhanced Extended Loop Combination ("EELs") Proposal Restrictions

Qwest proposes a streamlined alternative to the current restrictions that promotes the availability of UNEs for facilities-based local competition and strikes a competitive balance between ILECs and CLECs.

In the ordering process, the CLEC must provide the following documentation:

1. Self-certify that each individual EEL facility carries at least 51% local traffic or that the CLEC is the exclusive local provider of the end user customer.

2. Documentation that relates the CLEC collocation termination point to the CLEC class 5 switch (a local switch) and the associated Local Interconnection Service ("LIS") trunks. The CLEC must provide the "A" and "Z" location of the LIS trunks and the "26 code" for the LIS trunk group. The "26 code" is the alpha-numeric code designated by Qwest for the LIS trunk.

3. Document that the individual EEL facility has a local number assignment provided by the CLEC to the end user customer, is tied to the Public Switched Telephone Network, and has porting capability.

4. Document that the individual EEL facility has 911 capabilities such that calls to 911 PSAPs will show the assigned number or hunt group containing the assigned number.

On an ongoing basis, the EEL must meet the following requirements:

1. Each individual EEL facility must originate and terminate local voice traffic. The originating and terminating local voice traffic should include the ability to make originating local voice telephone calls without a toll charge and without dialing special digits not normally required for a local call.

2. Each individual EEL facility must terminate into a collocation arrangement.

3. Each individual EEL facility must be connected to a Class 5 switch (a local switch) or equivalent switch registered in the LERG as a Class 5 switch capable of local exchange service with a "CLEC" service provider categorization as reflected in the Telcordia Business Integrated Routing/Rating Database System ("BIRRDS").

4. The service offered to the end user customer must be marketed, advertised and sold as a local exchange service, or a bundle of services including local.

5. Neither end of an EEL facility can terminate into an IXC POP or an ISP POP.

Qwest's commingling proposal
Qwest supports commingling of DSO and/or voice grade UNE-loops onto DS1 special access transport as well as DS1 UNE-loops onto DS3 special access transport to further meet the needs of the CLECs serving the residential mass market as well as the small and medium sized business market.

EEL Measurements / Audits

- CLECs converting from a UNE-P combination to an EEL will automatically be presumed to meet the "local" standard, with a follow-up certification by the CLEC to be provided no later than six months after the conversion
- As is the case today, Internet access will not satisfy the "local" traffic criterion
- As a condition of the purchase of or conversion to EELs, the CLEC must agree to provide traffic billing records to a third party auditor to be identified by the ILEC for review of compliance with the local use certification.
- The ILEC may initiate an audit by an independent third party to assure compliance with the local use restriction no earlier than 6 months, after this provisioned.
- Every 6 months, the CLEC must be prepared to provide to third party auditor, if requested, one month's call detail recordings (CDR) upon 7 day's notice. The audit will include verification that the traffic carried over the facility or facilities in question meets the local usage restriction.
- The data required for an audit would be the CDR in the AMA format from the CLEC local voice switch.
- If the CLEC is found to be in violation of the local use restriction, the CLEC will pay: 1) all costs for the auditor and the ILEC personnel involved in the audit, 2) corrected billing back to date the circuit was established, 3) interest on the amount of corrected billing, and 4) loss of commingling rights after three faulted audits for one year